

46. (New) The composition of claim 40, wherein the grafted silicone polymer corresponding to the formula (IV) is a polydimethylsiloxane to which are grafted, via a thiopropylene connecting link, mixed polymer units comprising poly((meth)acrylic acid) and poly (alkyl (meth)acrylate).

64 47. (New) The composition of claim 41, wherein the grafted silicone polymer corresponding to the formula (IV) is a polydimethylsiloxane to which are grafted, via a thiopropylene connecting link, mixed polymer units comprising poly((meth)acrylic acid) and poly (alkyl (meth)acrylate).--

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Please cancel claims 11-16 without prejudice.

#### **SUPPORT FOR AMENDMENTS**

The language of claim 16 has been incorporated into claims 1-3. Thus, support for these amendments to claims 1-3 can be found, *inter alia*, in original claim 16. Also, claims 1-3, 20 and 21 have been amended to focus on wrinkle reducing or signs of cutaneous aging reducing effective amounts of the claimed polymers, rather than wrinkle removing or signs of cutaneous aging removing effective amounts. Claim 30 has been amended in a non-limiting grammatical manner to further clarify the agents specified therein.

New claims 31-41 have been added. Claims 31-33 correspond to existing claims 19, 25, and 26, respectively, except that they depend from claim 18 instead of claims 1-3. Claims 34 and 35 correspond to existing claims 20 and 21 except that they require the presence of a signs of cutaneous aging reducing effective amount of polymer instead of a

wrinkle reducing effective amount of polymer. Claims 36-41 and 42-47 correspond to claims 20-22, 30, 34 and 35, respectively, except that they require the presence of the polymer in claim 16 (claims 36-41) or claim 18 (claims 42-47). Thus, support for new claims 31-41 can be found, *inter alia*, in the original claims to which they correspond.

Claims 11-16 have been canceled.

Claims 1-3, 17-22 and 24-47 are currently pending.

### **REJECTIONS UNDER 35 U.S.C. §112**

The Office Action rejected claims 1, 3, 11-22 and 24-30 under 35 U.S.C. §112, first paragraph, as being non-enabled and/or as not containing an adequate written description, and claims 1, 11, 20, 21 and 30 under 35 U.S.C. §112, second paragraph, as being indefinite.

In view of the following remarks, Applicants respectfully request reconsideration and withdrawal of these rejections.

Claims 1, 3, 20 and 21 have been amended to require the presence of a wrinkle reducing- or cutaneous aging reducing- effective amount of the claimed polymer. The Office Action indicated that the present specification is enabling for reduction of wrinkles and cutaneous aging. (Page 3, par. 1). Accordingly, the rejection of claims 1, 3, 11-22 and 24-30 under 35 U.S.C. §112, first paragraph, as being non-enabled has been rendered moot and should be withdrawn.

With respect to the rejection of claim 30 under 35 U.S.C. §112, first paragraph, claim 30 does not require that all identified compounds possess all identified activity. Rather, claim 30 merely requires that the compounds possess "slimming, firming, antiglycant **and/or** vasoprotective" activity. Applicants respectfully submit that the compounds in claim 30 are

adequately identified and discussed in the present specification (see, page 13, line 3 through page 15, line 31), particularly with respect to the slimming, firming, antiglycant and/or vasoprotective activity such compounds would be expected to possess, to satisfy §112. Accordingly, Applicants respectfully request that the rejection of claim 30 under 35 U.S.C. §112, first paragraph, be withdrawn.

Regarding the rejection of claims 1, 11, 20, 21 and 30 under 35 U.S.C. §112, second paragraph, Applicants respectfully submit that the above amendments address the bases for rejection set forth in (i)-(iv) of the Office Action, thereby rendering these rejections moot. Accordingly, Applicants respectfully request that the rejections based on (i)-(iv) be withdrawn.

Regarding (v), the parenthetical subject matter in claim 30 sets forth further information relating to the botanical names associated with the identified compounds and, thus, is not confusing. To the contrary, such parenthetical information provides further information to those skilled in the art concerning the claimed compounds and, thus, is appropriate.

Regarding (vi), claim 11 has been canceled, thereby rendering this basis for rejection moot.

Regarding (vii), the phrases "firming compound" and "antiglycant compound" are sufficiently described in the present specification to satisfy §112. "Firming" active principles are defined as agents "which stimulate the synthesis of collagen." (Page 15, lines 25-26). Page 15, lines 24-25 provide examples of acceptable firming active principles. "Antiglycant" active principles are defined as agents "which prevent sugar from attaching to collagen fibers." (Page 15, lines 23-24). Page 15, line 26 provides examples of acceptable antiglycant active principles. Thus, these phrases are known in the art and defined in the specification. In view of the above, Applicants respectfully submit that the rejection of claim 21 under 35 U.S.C. §112, first paragraph, is improper and should be withdrawn.

### **REJECTIONS UNDER 35 U.S.C. §§102 AND 103**

The Office Action rejected claims 1-3 and 19 under 35 U.S.C. §102 as anticipated by U.S. patent 5,468,477 ("Kumar") and U.S. patent 5,219,560 ("Suzuki"). Claims 1-3 have been amended to require the presence of the polymer in claim 16. Because claim 16 was not rejected under §102, the rejections under §102 have been rendered moot and should be withdrawn.

The Office Action also rejected claims 1-3, 11-18 and 24-29 under 35 U.S.C. §103 as obvious over Kumar, and claims 20-22 and 30 as obvious over Kumar in view of U.S. patent 6,190,678 ("Hasenoehrl"). In view of the following remarks, Applicants respectfully request reconsideration and withdrawal of these rejections.

Kumar neither teaches nor suggests applying the claimed polymers to wrinkled skin in a wrinkle reducing effective amount or to skin suffering from signs of cutaneous aging in a signs of cutaneous aging reducing effective amount. As noted above, Kumar neither teaches nor suggests the claimed polymers. Moreover, Kumar is silent concerning wrinkle and signs of cutaneous aging reduction.

Hasenoehrl does not compensate for Kumar's deficiencies. Hasenoehrl is cited merely for its disclosure of caffeine. It does not relate in any way to applying the claimed polymers to wrinkled skin in a wrinkle reducing effective amount or to skin suffering from signs of cutaneous aging in a signs of cutaneous aging reducing effective amount.

One skilled in the art, seeking methods and compositions for reducing wrinkles on wrinkled skin or for reducing signs of cutaneous aging on skin suffering from such signs, would not be led to the claimed invention by the combination of Kumar and Hasenoehrl.

In view of the above, Applicants respectfully submit that the rejections under 35 U.S.C. §103 should be withdrawn.

Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

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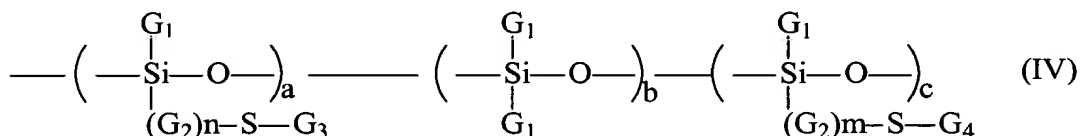
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Serial No: 09/453,713

Amendment Filed on:

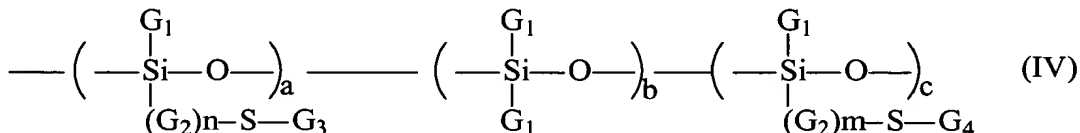
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1. (Thrice Amended) A method for reducing [or removing] the signs of cutaneous aging, comprising applying onto skin comprising signs of cutaneous aging composition comprising [a signs of cutaneous aging reducing or removing effective] an amount of at least one grafted silicone polymer effective to reduce signs of cutaneous aging, wherein said grafted silicone polymer comprises [comprising] a polysiloxane portion and a portion comprising a non-silicone organic chain, one of the two portions constituting a main chain of the polymer and the other being grafted to the main chain, wherein the grafted silicone polymer is a polymer with a polysiloxane backbone grafted by at least one non-silicone organic monomer and comprises, in its structure, the unit of following formula (IV):



in which the G<sub>1</sub> groups, which are identical or different, represent hydrogen or a C<sub>1</sub>-C<sub>10</sub> alkyl group or alternatively a phenyl group; the G<sub>2</sub> groups, which are identical or different, represent a C<sub>1</sub>-C<sub>10</sub> alkalene group; G<sub>3</sub> represents a polymeric group prepared by the (homo)polymerization of at least one anionic monomer with ethylenic unsaturation; G<sub>4</sub> represents a polymeric group prepared by the (homo)polymerization of at least one hydrophobic monomer with ethylenic unsaturation; m and n are, independently of one another, equal to 0 or 1; a is an integer ranging from 0 to 50; b is an integer which can be between 10 and 350 and c is an integer ranging from 0 and 50, with the proviso that one of the parameters a and c is other than 0.

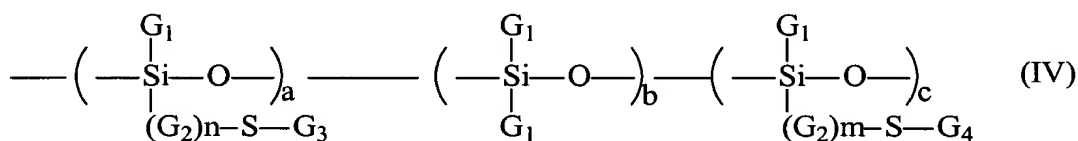
2. (Thrice Amended) A method of tightening the skin comprising applying onto skin a composition comprising a skin-tightening effective amount of at least one grafted silicone polymer comprising a polysiloxane portion and a portion comprising a non-silicone organic chain, one of the two portions constituting a main chain of the polymer and the other being grafted to the main chain, wherein the grafted silicone polymer is a polymer with a polysiloxane backbone grafted by at least one non-silicone organic monomer and comprises, in its structure, the unit of following formula (IV):



in which the G<sub>1</sub> groups, which are identical or different, represent hydrogen or a C<sub>1</sub>-C<sub>10</sub> alkyl group or alternatively a phenyl group; the G<sub>2</sub> groups, which are identical or different,

represent a C<sub>1</sub>-C<sub>10</sub> alkalene group; G<sub>3</sub> represents a polymeric group prepared by the (homo)polymerization of at least one anionic monomer with ethylenic unsaturation; G<sub>4</sub> represents a polymeric group prepared by the (homo)polymerization of at least one hydrophobic monomer with ethylenic unsaturation; m and n are, independently of one another, equal to 0 or 1; a is an integer ranging from 0 to 50; b is an integer which can be between 10 and 350 and c is an integer ranging from 0 and 50, with the proviso that one of the parameters a and c is other than 0.

3. (Thrice Amended) A method for reducing [removing] wrinkles comprising applying onto skin comprising wrinkles a composition comprising a wrinkle-[removing] reducing effective amount of at least one grafted silicone polymer comprising a polysiloxane portion and a portion comprising a non-silicone organic chain, one of the two portions constituting a main chain of the polymer and the other being grafted to the main chain, wherein the grafted silicone polymer is a polymer with a polysiloxane backbone grafted by at least one non-silicone organic monomer and comprises, in its structure, the unit of following formula (IV):



in which the G<sub>1</sub> groups, which are identical or different, represent hydrogen or a C<sub>1</sub>-C<sub>10</sub> alkyl group or alternatively a phenyl group; the G<sub>2</sub> groups, which are identical or different, represent a C<sub>1</sub>-C<sub>10</sub> alkalene group; G<sub>3</sub> represents a polymeric group prepared by the (homo)polymerization of at least one anionic monomer with ethylenic unsaturation; G<sub>4</sub> represents a polymeric group prepared by the (homo)polymerization of at least one hydrophobic monomer with ethylenic unsaturation; m and n are, independently of one another, equal to 0 or 1; a is an integer ranging from 0 to 50; b is an integer which can be between 10 and 350 and c is an integer ranging from 0 and 50, with the proviso that one of the parameters a and c is other than 0.

20. (Twice Amended) A composition comprising, in a physiologically acceptable medium, (1) a [skin-tightening] wrinkle-reducing effective amount of at least one grafted silicone polymer comprising a polysiloxane portion and a portion comprising a non-silicone organic chain, one of the two portions constituting the main chain of the polymer and the other being grafted to the said main chain and (2) one or more plant proteins.

21. (Thrice Amended) A composition comprising, in a physiologically acceptable medium, (1) a [skin-tightening] wrinkle-reducing effective amount of at least one grafted silicone polymer comprising a polysiloxane portion and a portion comprising a non-silicone organic chain, one of the two portions constituting the main chain of the polymer and the other being grafted to the said main chain and (2) one or more slimming, firming, antiglycant and/or vasoprotective compounds.



30. (Amended) The composition according to Claim 21, wherein the slimming, firming antiglycant and/or vasoprotective compound is selected from the group consisting of phosphodiesterase inhibitors, 1-hydroxyalkylxanthines, caffeine citrate, theophylline, [derivatives of theophylline,] theobromine, acefylline, aminophylline, chloroethyltheophylline, diprophylline, diniprophylline, etamiphylline, [derivatives of etamiphylline, etofylline or proxiphylline;] [combinations comprising] xanthine [derivatives], [the combination of] caffeine, [and] silanol, [(methylsilanetriol derivative of caffeine);] compounds of natural origin comprising xanthine bases; tea extract, coffee extract, guarana extract, maté extract, [or] cola (*Cola nitida*) extract, the dry extract of guarana (*Paulina sorbilis*) fruit [comprising 8 to 10% of caffeine;], ephedrine, [derivatives of ephedrine;] plant extracts of *Garcinia cambogia*, *Bupleurum chinensis* extracts, extracts of English ivy (*Hedera helix*), extracts of mountain tobacco (*Arnica montana* L), extracts of rosemary (*Rosmarinus officinalis*), extracts of marigold (*Calendula officinalis*), extracts of sage (*Salvia officinalis* L), extracts of ginseng (*Panax ginseng*), extracts of St John's Wort (*Hypericum perforatum*), extracts of butcher's broom (*Ruscus aculeatus* L), extracts of meadowsweet (*Filipendula ulmaria* L), extracts of cat's whiskers (*Orthosiphon stamineus* Benth), [or] extracts of birch (*Betula alba*), *Ginkgo biloba* extracts, horsetail extracts, horse chestnut extracts, cangzhu extracts, *Chrysanthellum indicum* extracts, [extracts from plants of the genus] *Armeniacea* extracts, *Atractylodis* extracts, *Platicodon* extracts, *Sinommenum* extracts, *Pharbitidis* extracts, [or] *Flemingia* extracts, *Coleus* extracts, extracts of *C. forskohlii*, extracts of *C. blumei*, extracts of *C. esquirolii*, extracts of *C. scutellaroides*, extracts of *C. xanthanthus*, extracts of *C. barbatus*, extracts of *Coleus barbatus* root [comprising 60% of], forskolin, Ballota extracts, extracts of *Guioa*, extracts of *Davallia*, extracts of *Terminalia*, extracts of *Barringtonia*, extracts of *Trema*, extracts of *Antirobia*, algal extracts, red alga (*Gelidium cartilagineum*) extract, *Laminaria digitata* extract[;], protamines, [and their derivatives;] flavonoids, ruscogenins, esculosides, [the] aescine, [extracted from] horse chestnut, nicotines, hesperidin methyl chalcone, essential oils of lavender, [or] essential oils of rosemary, the disodium salt of rutinyl sulphate, [;] *Centella asiatica*, [and] *Siegesbeckia* extracts, [and] yeast extracts of *Saccharomyces cerevisiae*, silicon, amadorine, [and an] ivy extract, and mixtures thereof.

Claims 31-47 (new)